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18 Travelers Casualty and Surety Company of America

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION

21 TRAVELERS CASUALTY AND
22 SURETY COMPANY OF AMERICA, a
23 Connecticut corporation,

24 Plaintiff,

25 v.

26 K.O.O. CONSTRUCTION, INC., a
27 California corporation; and KEITH
28 ODISTER, an individual, inclusive,

Defendants.

Case No. 3:16-cv-00518

**~~PROPOSED~~ ORDER ON TRAVELERS
CASUALTY AND SURETY COMPANY'S
MOTION TO AMEND ORDER GRANTING
RIGHT TO ATTACH**

Date: April 21, 2017

Time: 9:30 a.m.

Location: Courtroom G

Address: 450 Golden Gate Ave., 15th Floor
San Francisco, CA 94102

Having read and considered Travelers Casualty and Surety Company of America's ("Travelers") Motion to Amend the December 16, 2016, Right to Attach Order, and good cause appearing therefore, IT IS HEREBY ORDERED that:

1. The motion is GRANTED.

2. The Court finds Defendant K.O.O. Construction, Inc. is a corporation. The Court finds Defendant Keith Odister is a natural person and that the KEITH O. ODISTER TRUST, established on May 15, 2008 is a revocable trust pursuant to Probate Code section 18200 and therefore subject to levy by Travelers as creditor of Keith Odister.

3. The claim upon which the application is based is one upon which an attachment may be issued. Travelers has established the probable validity of the claim upon which the attachment is based. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based. The amount to be secured by the attachment is greater than zero.

4. Plaintiff has a right to attach property of Defendants K.O.O. Construction, Inc., Keith Odister, and any property held by Keith O. Odister, as trustee of the Keith O. Odister Trust, established 15 May, 2008 ("Odister Trust"), in the amount of \$2,743,193.81.

5. The clerk shall issue a writ of attachment in the amount of \$2,743,193.81 forthwith for any property of K.O.O. Construction, Inc. for which a method of levy is provided.

6. The clerk shall issue a writ of attachment in the amount of \$2,743,193.81 for the property of Defendant Keith Odister and any property of the Odister Trust, that is subject to attachment under California Code of Civil Procedure section 487.010:

a. All right, title and interest of defendant Keith Odister, in his own name or in the name of the Odister Trust, in the following real property and in any other real property in which said defendant holds a right, title or interest pursuant to California Code of Civil Procedure section 487.010(c)(1):

Address	County	APN
1. 3901 Fair Oaks Blvd., Sacramento, CA 95864	Sacramento	292-0100-004-0000
2. 2414 28th St., Sacramento, CA 95834	Sacramento	010-0241-012-0000
3. 7112 Rio Cavado Wy., Elk Grove, CA 95757	Sacramento	132-1240-057-0000

4.	135 Cathcart Ave., Sacramento, CA 95838	Sacramento	250-0291-016-0000
5.	3196 Swallows Nest Dr., Sacramento, CA 95833	Sacramento	274-0300-042-0000
6.	2408 28th St., Sacramento, CA 95818	Sacramento	010-0241-011-0000
7.	2412 Del Paso Rd., Sacramento, CA 95834	Sacramento	225-0070-135-0000
8.	2510 Boatman Ave., W. Sacramento, CA 95691	Yolo	067-140-13-1

b. All accounts receivable, chattel paper, and general intangibles held by defendant, in his own name or in the name of the Odister Trust, arising out of the conduct by said defendant of a trade, business or profession, pursuant to California Code of Civil Procedure section 487.010(c)(2).

c. All equipment, farm products, and inventory of said defendant, in his own name or in the name of the Odister Trust, pursuant to California Code of Civil Procedure section 487.010(c)(3) through (5).

d. All money judgments that said defendant, in his own name or in the name of the Odister Trust, holds against any other person or entity arising out of the defendant's conduct of a trade, business or profession, pursuant to California Code of Civil Procedure section 487.010(c)(6).

e. All money of said defendant, in his own name or in the name of the Odister Trust, on the premises where a trade, business or profession is conducted by said defendant except for the first \$1,000.00 pursuant to California Code of Civil Procedure section 487.010(c)(7).

f. All deposit accounts of said defendant, in his own name or in the name of the Odister Trust, to be levied so that an aggregate amount of \$1,000.00 in the form of such money and in such accounts remains free from levy pursuant to California Code of Civil Procedure section 487.010(c)(7).

g. All negotiable documents of title held by defendant, in his own name or in the name of the Odister Trust, pursuant to California Code of Civil Procedure section 487.010(c)(8).

h. All instruments held by said defendant, in his own name or in the name of the Odister Trust, (including but not limited to checks, promissory notes, and other "instruments"

1 as defined by California Commercial Code section 3104(b), pursuant to California Code of Civil
2 Procedure section 487.010(c)(9).

3 i. All "securities" held by defendant, in his own name or in the name of the
4 Odister Trust, as defined in California Corporations Code section 25019, pursuant to California
5 Code of Civil Procedure section 487.010(c)(10).

6 IT IS SO ORDERED.

7
8 Date: June 8, 2017

